

Rec'd PCT/PTO 01 NOV 2005

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted With Initial Filing       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) **OR**

Attorney Docket Number		029869.00001-US01
First Named Inventor		Craig A. Townsend
<i>COMPLETE IF KNOWN</i>		
Application Number		10/520,506
Filing Date		January 7, 2005
Art Unit		Not Yet Assigned
Examiner Name		Not Yet Assigned

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## Methods of Treating Microbial Infections in Humans and Animals

*(Title of the Invention)*

the specification of which

is attached hereto

**OR**

was filed on (MM/DD/YYYY) **01/07/2005** as United States Application Number or PCT International

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, and that I believe the claims to be valid.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Priority Foreign Application Number(s)		Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
					YES	NO
PCT/US2003/2146	-	IB	07/09/2003	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:  The address associated with Customer Number. 26853 OR  Correspondence address below

Name <b>COVINGTON &amp; BURLING</b>			
Address 1201 Pennsylvania Avenue, NW			
City <b>Washington</b>		State <b>D.C.</b>	ZIP <b>20004-2401</b>
Country <b>US</b>		Telephone <b>202.662.6000</b>	Fax <b>202.662.6291</b>
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>Craig A.</b>		Family Name or Surname <b>Townsend</b>	
Inventor's Signature			Date
Residence: City <b>Baltimore</b>		State <b>MD</b>	Country <b>United States of America</b>
Mailing Address: Department of Chemistry Johns Hopkins University 3400 N. Charles Street		Citizenship <b>US</b>	
City <b>Baltimore</b>		State <b>MD</b>	ZIP <b>21218</b>
Country <b>United States of America</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) <b>James D.</b>		Family Name or Surname <b>Dick</b>	
Inventor's Signature			Date
Residence: City <b>Baltimore</b>		State <b>MD</b>	Country <b>United States of America</b>
Mailing Address: Johns Hopkins Hospital Meyer B1-193 600 N. Wolfe Street		Citizenship <b>US</b>	
City <b>Baltimore</b>		State <b>MD</b>	ZIP <b>21287</b>
Country <b>United States of America</b>		<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>		<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page <u>1</u> of <u>1</u>		

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Nicole M.		Parrish	
Inventor's Signature			
Residence: City	MD	United States of America	US
Ellicott City	State	Country	Citizenship
Mailing Address:	2745 Weatherstone Drive		
City	MD	21042	United States of America
Ellicott City	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Minerva Amorette		Hughes	
Inventor's Signature			
Residence: City	MD	United States of America	US
Baltimore	State	Country	Citizenship
Mailing Address:	#2-1 Sharondale Way		
City	MD	21221	United States of America
Baltimore	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			
Residence: City	MD	United States of America	US
Mailing Address:			
City	State	Zip	Country

Under the Paperwork Reduction Act of 1996, no person is required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet	
			Page 1 of 1	
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Nicole M.			Family Name or Surname Parish	
Inventor's Signature			Date	
Residence: City Elliott City		State MD	United States of America Country	Citizenship US
Mailing Address: 2745 Weatherstone Drive				
City Elliott City		State MD	Zip 21042	United States of America Country
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Minerva Amorette			Family Name or Surname Hughes	
Inventor's Signature <i>Minerva Amorette</i>			Date 9/28/05	
Residence: City Baltimore		State MD	United States of America Country	Citizenship US
Mailing Address: #2-1 Sherondale Way				
City Baltimore		State MD	Zip 21221	United States of America Country
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))			Family Name or Surname	
Inventor's Signature			Date	
Residence: City		State	Zip	Country
Mailing Address:				
City		State	Zip	Country
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))			Family Name or Surname	
Inventor's Signature			Date	
Residence: City		State	Zip	Country
Mailing Address:				
City		State	Zip	Country

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PTO/SB/06 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Craig A. Townsend et al.Application No./Patent No.: 10,520,506 Filed/Issue Date: January 7, 2005Entitled: Methods of Treating Microbial Infections in Humans and AnimalsJohns Hopkins University 3 university  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is        %  
in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel         
Frame       , or for which a copy thereof is attached.

OR

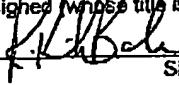
B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From:        To:         
The document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.
2. From:        To:         
The document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.
3. From:        To:         
The document was recorded in the United States Patent and Trademark Office at  
Reel       , Frame       , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature

10/31/05  
\_\_\_\_\_  
Date

R. Keith Baker, Ph.D., MBA  
\_\_\_\_\_  
Printed or Typed Name

410-514-4563  
\_\_\_\_\_  
Telephone Number

Senior Director, Johns Hopkins University  
\_\_\_\_\_  
Title

PTO/SB/61 (11-04)

Approved for use through 11/30/2006. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/520,506-Conf. #2647
Filing Date	January 7, 2005
First Named Inventor	Craig A. Townsend
Title	Methods of Treating Microbial Infections in Humans and Animals
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	029869.00001-US01

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioners associated with the Customer Number: 26853

OR

Practitioner(s) named below:

Name	Registration Number	Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:  

OR

Firm or Individual Name: **COVINGTON & BURLING**

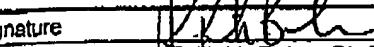
Address	1201 Pennsylvania Avenue, NW		
City	Washington	State	D.C.
Country	USA	Telephone	202.662.6000
		Zip	20004-2401

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	10/31/05
Name	R. Keith Baker, Ph.D., MBA	Telephone	410-516-4563

Title and Company **Senior Director, Johns Hopkins University**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of 1 forms are submitted.

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION**  
(37 CFR 1.63)

Declaration Submitted With Initial Filing       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

OR

Attorney Docket Number	029869.00001-US01
First Named Inventor	Craig A. Townsend
<b>COMPLETE IF KNOWN</b>	
Application Number	10/520,506
Filing Date	January 7, 2005
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Methods of Treating Microbial Infections in Humans and Animals

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY)  as United States Application Number or PCT InternationalApplication Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
PCT/US2003/2146	IB	07/09/2003	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

## DECLARATION — Utility or Design Patent Application

Direct all correspondence to:  The address associated with Customer Number: 26853 OR  Correspondence address below

Name

COVINGTON &amp; BURLING

Address

1201 Pennsylvania Avenue, NW

City	Washington	State	D.C.	ZIP	20004-2401
Country	US	Telephone	202.662.6000		
			Fax	202.662.6291	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	Craig A.	Family Name or Surname	Townsend
---	----------	---------------------------	----------

Inventor's Signature	Date 09/27/05		
-------------------------	---------------	--	--

Residence: City Baltimore	State MD	Country United States of America	Citizenship US
------------------------------	-------------	-------------------------------------	-------------------

Mailing Address:	Department of Chemistry Johns Hopkins University 3400 N. Charles Street		
---------------------	---	--	--

City Baltimore	State MD	ZIP 21218	Country United States of America
-------------------	-------------	--------------	-------------------------------------

NAME OF SECOND INVENTOR:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])	James D.	Family Name or Surname	Dick
---	----------	---------------------------	------

Inventor's Signature	Date 9-27-05		
-------------------------	--------------	--	--

Residence: City Baltimore	State MD	Country United States of America	Citizenship US
------------------------------	-------------	-------------------------------------	-------------------

Mailing Address:	Johns Hopkins Hospital Meyer B1-193 600 N. Wolfe Street		
---------------------	---	--	--

City Baltimore	State MD	ZIP 21287	Country United States of America
-------------------	-------------	--------------	-------------------------------------

Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet	
Page 1 of 1				
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) <u>Nicole M.</u> Family Name or Surname <u>Parrish</u> Inventor's Signature <u>Nicole M. Parrish</u> Date <u>9-27-05</u> Residence: City <u>Ellicott City</u> State <u>MD</u> United States of America <u>US</u> Citizenship		
Mailing Address:	2745 Weatherstone Drive			
City	State	Zip	United States of America Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) <u>Minerva Amorette</u> Family Name or Surname <u>Hughes</u> Inventor's Signature <u>Minerva Amorette</u> Date <u>MD</u> Residence: City <u>Baltimore</u> State <u>MD</u> United States of America <u>US</u> Citizenship		
Mailing Address:	#2-1 Sharondale Way			
City	State	Zip	United States of America Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) <u></u> Family Name or Surname <u></u> Inventor's Signature <u></u> Date <u></u> Residence: City <u></u> State <u></u> Country <u></u> Citizenship		
Mailing Address:				
City	State	Zip	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor Given Name (first and middle (if any)) <u></u> Family Name or Surname <u></u> Inventor's Signature <u></u> Date <u></u> Residence: City <u></u> State <u></u> Country <u></u> Citizenship		
Mailing Address:				
City	State	Zip	Country	

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Craig A. Townsend et al.Application No./Patent No.: 10/520,506 Filed/Issue Date: January 7, 2005Entitled: Methods of Treating Microbial Infections in Humans and Animals(Name of Assignee) FASgen, LLC, a Limited Liability Company  
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Craig A. Townsend et al. To: Johns Hopkins University  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Johns Hopkins University To: FASgen, LLC  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Albert T. Owens  
Signature9.20.05

Date

Dr. Albert Owens, Jr.  
Printed or Typed Name410-578-9200

Telephone Number

President  
Title

PTO/SB/81 (11-04)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/520,506-Conf. #2647
Filing Date	January 7, 2005
First Named Inventor	Craig A. Townsend
Title	Methods of Treating Microbial Infections in Humans and Animals
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	029869.00001-US01

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioners associated with the Customer Number: 26853

OR

Practitioner(s) named below:

Name	Registration Number	Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:  

OR

Firm or Individual Name: COVINGTON & BURLING

Address: 1201 Pennsylvania Avenue, NW

City: Washington State: D.C. Zip: 20004-2401

Country: USA Telephone: 202.662.6000 Email:  

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

## SIGNATURE of Applicant or Assignee of Record

Signature: *Albert H. Owens, Jr.*Date: *9.20.05*

Name: Dr. Albert Owens, Jr.

Telephone:  

Title and Company: President, FASgen, LLC

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

Rec'd PCT/PTO 01 NOV 2005

Verified Statement (Declaration) Claiming Small Entity Status  
(37 C.F.R. §§ 1.9(e) and 1.27(d)) – Nonprofit Organization

Applicant or Patentee: Craig A. Townsend et al.  
Appl. or Patent No.: 10/520,506; Attorney Docket No. 029869.00001-US01

Filed or Issued: January 7, 2005

For: METHODS FOR TREATING MICROBIAL INFECTIONS IN HUMANS AND ANIMALS

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below.

NAME OF NONPROFIT ORGANIZATION Johns Hopkins University

ADDRESS OF NONPROFIT ORGANIZATION 4910 Eastern Avenue, Baltimore, Maryland 21224

TYPE OF NONPROFIT ORGANIZATION

University or other institution of higher education  
 Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))  
 Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)  
 Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America  
 Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention must file a separate verified statement averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization (other than the nonprofit organization identified above) having any rights in the invention is listed below:

no such person, concern, or organization exists.  
 each such person, concern, or organization is listed below:

NAME FASeen, LLC

ADDRESS Bavview Medical Campus, 5210 Eastern Avenue, Baltimore, Maryland 21224

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status, resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING R. Keith Baker, Ph.D., MBA

TITLE IN ORGANIZATION Senior Director

ADDRESS OF PERSON SIGNING 4910 Eastern Avenue, Baltimore, Maryland 21224

SIGNATURE R. Keith Baker

DATE 10/31/05

COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2401  
(202) 662-6000

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**Verified Statement (Declaration) Claiming Small Entity Status**  
(37 C.F.R. § 1.27 – Small Business Concern)

Applicant or Patentee: Craig A. Townsend et al.  
Application or Patent No.: 10/520,506

Filed or Issued: January 7, 2005  
Attorney Docket No.: 029869.00001-US01

For: METHODS OF TREATING MICROBIAL INFECTIONS IN HUMANS AND ANIMALS

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: FASgen, LLC

ADDRESS OF SMALL BUSINESS CONCERN: Bayview Medical Campus, 5210 Eastern Avenue, Baltimore, Maryland 21224

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.801-805, for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor, if that person made the invention or by any concern which would not qualify as a small business concern or a nonprofit organization under 37 C.F.R. § 1.27.

Each person, concern or organization (other than the small business concern identified above) having any rights in the invention is listed below:

no such person, concern, or organization exists.  
 each person, concern, or organization is listed below.

NAME Johns Hopkins University

ADDRESS 4910 Eastern Avenue, Baltimore, Maryland 21224

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN (X) NONPROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

**BEST AVAILABLE COPY**

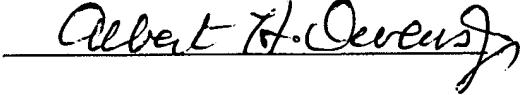
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Albert Owens, Jr. 

TITLE IN ORGANIZATION President

ADDRESS OF PERSON SIGNING: Bayview Medical Campus, 5210 Eastern Avenue  
Baltimore, Maryland 21224

SIGNATURE  DATE 9.20.05

## ASSIGNMENT

WHEREAS, Johns Hopkins University, a corporation organized under and pursuant to the laws of Maryland having its principal place of business at 4910 Eastern Avenue; Baltimore, Maryland 21224 (hereinafter referred to as Assignor), is the sole and exclusive owner, by assignment, of the Patent Application listed in Schedule A; and

WHEREAS, FASgen, LLC and Johns Hopkins University, a Limited Liability Company and University, respectively organized under and pursuant to the laws of Maryland and Maryland, respectively having their principal places of business at Bayview Medical Campus, 5210 Eastern Avenue, Baltimore, Maryland 212234; and 4910 Eastern Avenue, Baltimore, Maryland 21224, respectively (hereinafter referred to as Assignees), are desirous of acquiring the right, title and interest in, to and under said Patent Application and the invention covered thereby;

NOW, THEREFORE, in consideration of and in exchange for the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the said Assignor has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over to the said Assignees, the entire right, title and interest for the United States of America and all other countries in and to said applications for all original, divisional, continuation, continuation-in-part, substitute or reissue applications and patents applied for or granted therefore in the United States of America and all other countries on the attached list of *Schedule A*, and the Commissioner of Patents and Trademarks is hereby authorized and requested to issue all patents on *Schedule A* to said assignees herein, as assignees of the entire interest therein; and the undersigned for itself and its legal representatives, heirs and assigns does hereby agree and covenant without further remuneration, to execute and deliver all divisional, continuation, continuation-in-part, reissue and other applications for Letters Patent and all assignments thereof to said assignees or their assigns, to communicate to said assignees or their representatives all facts known to the undersigned respecting said invention listed on *Schedule A* whenever requested, to testify in any interferences or other legal proceedings in which said application or patent may become involved, to sign all lawful papers, make all rightful oaths, and do generally everything necessary to aid assignee, its successors, assigns and nominees to obtain patent protection for the said invention listed on *Schedule A* in the United States of America and all other countries, the

expenses incident to said application listed on *Schedule A* to be borne and paid by said assignees.

SCHEDULE A

Application Number	Filing Date	Inventor	Title	Ctry
10/520,506	Jan 7, 2005	Craig A. Townsend	Methods of Treating Microbial Infections in Humans and Animals	US



R. Keith Baker, Ph.D., MBA

R. Keith Baker, Ph.D.

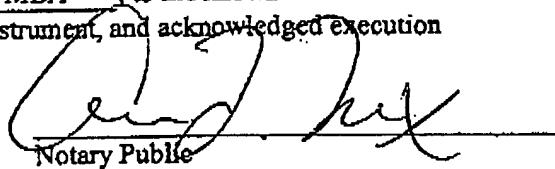
Sr. Director

Johns Hopkins Technology Transfer

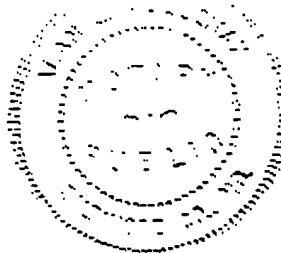
Date: Oct. 31, 2005

United States of America )  
State of Maryland ) ss.:  
County of Baltimore

On this 31 day of October, 2005, before me  
personally came R. Keith Baker, Ph.D., MBA, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



Notary Public



10/520506  
Rd PCT/PTO 01 NOV 2005

**ASSIGNMENT BY INVENTORS**

**THIS ASSIGNMENT**, made by Craig A. Townsend; James D. Dick; Nicole M. Parrish; and Minerva A. Hughes (hereinafter referred to as Assignors), residing at Department of Chemistry, Johns Hopkins University, 3400 N. Charles Street, Baltimore, Maryland 21218; Johns Hopkins Hospital, Meyer B1-193, 600 N. Wolfe Street, Baltimore, Maryland 21287; 2745 Weatherstone Drive, Ellicott City, Maryland 21042; and #2-1 Sharondale Way, Baltimore, Maryland 21221, respectively;

**WHEREAS**, Assignors have invented certain new and useful improvements in Methods of Treating Microbial Infections in Humans and Animals, set forth in a Patent application for Letters Patent of the United States, already filed on January 7, 2005 as U.S. application No. 10/520,506; and

**WHEREAS**, Johns Hopkins University, a university, having its principal places of business at 4910 Eastern Avenue, Baltimore, Maryland 21224, (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignees, their successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignees, for their own use and benefit and the use and benefit of their successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the

same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

**AND** for the same consideration, Assignors hereby represent and warrant to Assignees, their successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignees under law or that have already been transferred to Assignees, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignees, their successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignees, their successors, legal representatives and assigns, whenever counsel of Assignees, or counsel of their successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignees, as Assignees of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignees, their successors, legal representatives and assigns.

**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply

with the rules of the United States Patent and Trademark Office for recordation of this document:

COVINGTON & BURLING

All practitioners at Customer Number 26853

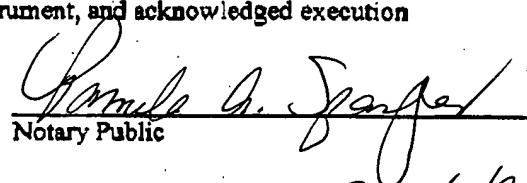
AND Assignors acknowledge an obligation of assignment of this invention to Assignees at the time the invention was made.

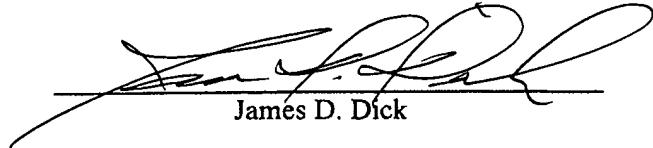
  
\_\_\_\_\_  
Craig A. Townsend

Date: 22 Sept. 2005

United States of America  
State of MARYLAND )  
County of BALTIMORE ) ss.

On this 22 day of Sept, 2005, before me  
personally came Craig A. Townsend, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

  
\_\_\_\_\_  
Jennifer A. Jasper  
Notary Public  
Exp. 6/9/09

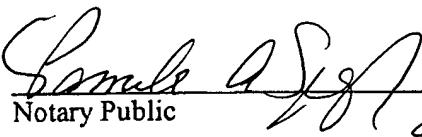


James D. Dick

Date: 9/27/05

United States of America )  
State of MO ) ss.:  
County of Benton )

On this 27 day of Sept, 2005, before me  
personally came James D. Dick, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



Notary Public  
Exp. 6/2/09

Nicole M. Parrish

Nicole M. Parrish

Date: 9-21-05

United States of America )  
State of MD ) ss.:  
County of Bethesda )

On this 21 day of Sept, 2005, before me personally came Nicole M. Parrish, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Sonale G. Jeant  
Notary Public

Exp. 6/9/09

Minerva Hughes  
Minerva A. Hughes

Date: 9/22/05

United States of America  
State of Maryland ) ss.  
County of Baltimore City

On this 22<sup>nd</sup> day of September, 2005, before me  
personally came Minerva A. Hughes, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

James A. Taylor  
Notary Public  
Exp. 6/3/09

## ASSIGNMENT BY INVENTORS

**THIS ASSIGNMENT**, made by Craig A. Townsend; James D. Dick; Nicole M. Parrish; and Minerva A. Hughes (hereinafter referred to as Assignors), residing at Department of Chemistry, Johns Hopkins University, 3400 N. Charles Street, Baltimore, Maryland 21218; Johns Hopkins Hospital, Meyer B1-193, 600 N. Wolfe Street, Baltimore, Maryland 21287; 2745 Weatherstone Drive, Ellicott City, Maryland 21042; and #2-1 Sharondale Way, Baltimore, Maryland 21221, respectively;

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same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

**AND** for the same consideration, Assignors hereby represent and warrant to Assignees, their successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignees under law or that have already been transferred to Assignees, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

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**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignees, as Assignees of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignees, their successors, legal representatives and assigns.

**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply

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COVINGTON & BURLING

All practitioners at Customer Number 26853

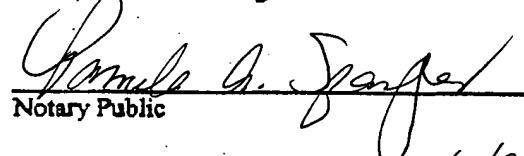
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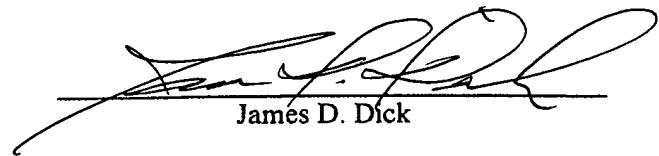
  
\_\_\_\_\_  
Craig A. Townsend

Date: 22 Sept. 2005

United States of America  
State of MARYLAND )  
County of BALTIMORE ) ss.:

On this 22 day of Sept, 2005, before me  
personally came Craig A. Townsend, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

  
\_\_\_\_\_  
Pamela A. Spangler  
Notary Public  
Ex. 6/9/09



James D. Dick

Date: 9/27/05

United States of America )  
State of MO ) ss.:  
County of Benton )

On this 27 day of Sept, 2005, before me  
personally came James D. Dick, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.



Notary Public  
Exp. 6/2/09

Nicole M. Parrish

Nicole M. Parrish

Date: 9-21-05

United States of America )  
State of MD ) ss.:  
County of Baltimore )

On this 21 day of Sept, 2005, before me personally came Nicole M. Parrish, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Nicole M. Parrish  
Notary Public  
Exp. 6/9/09

Minerva Hughes  
Minerva A. Hughes

Date: 9/22/05

United States of America  
State of Maryland ) ss.:  
County of Baltimore City)

On this 22<sup>nd</sup> day of September, 2005, before me  
personally came Minerva A. Hughes, to me known to be the individual  
described in and who executed the foregoing instrument, and acknowledged execution  
of the same.

James A. Doff  
Notary Public  
Exp. 6/9/09

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